

#54162  
11/28/12  
Delta

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
1001 I Street, 14<sup>th</sup> Floor, Sacramento, CA 95814  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, Fax: (916) 341-5431, [www.waterboards.ca.gov/waterrights](http://www.waterboards.ca.gov/waterrights)

**INITIAL STATEMENT OF WATER DIVERSION AND USE**

**NOTE: A Statement is not a Water Right**

This Statement should be typewritten or legibly written in ink and submitted to the address above.  
A separate statement must be filed for each point of diversion.

An (\*) indicates a required section. Required sections must be completed for the Statement to be accepted.

**\*A. Claimant/Agent Information**

Claimant/Owner: <u>Victoria Island LP</u>	Agent:
Mailing Address: <u>P.O. Box 87 Holt</u> <u>CA 95234</u>	Mailing Address:
Phone No. <u>(209) 465-5600</u>	Phone No.:
Fax No. <u>(209) 465-3877</u>	Fax No.:
E-mail Address:	E-mail Address:

**\*B.** Water is diverted and used under the claim of: Riparian claim ☒ Pre 1914 claim ☒ Court Decree No. \_\_\_\_\_  
Other (explain): \_\_\_\_\_

**\*C.** Name of the body of water at the point of diversion \_\_\_\_\_

Old River

Tributary to Sacramento San Joaquin Delta

**\*D.** Point of diversion is located within San Joaquin County on Assessor's Parcel No. 129-190-30  
being within the SW 1/4 of Section 32, of Township 1N, Range 4E, B&M.

Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.

N 37° 53.207' W 121° 43.481'

Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.

Name of the diversion works is (23) Related Water Right(s) \_\_\_\_\_

**E.** Do you own the land at the point of diversion? Yes ☒ No ☐ If No, please provide the name and address of the land owner at the point of diversion: \_\_\_\_\_

**\*F.** Capacity of diversion works \_\_\_\_\_ (cfs, gpm, or gpd) Capacity of storage tanks or reservoir \_\_\_\_\_ (gallons or acre-feet)

Type of diversion facility: Gravity ☒ Creek Pump \_\_\_\_\_ Well Pump \_\_\_\_\_

Method of measurement: Weir \_\_\_\_\_ Flume \_\_\_\_\_ In line flow meter \_\_\_\_\_ Electric Meter \_\_\_\_\_ Estimate ☒ 50.2 Acs .0168 =

**NOTE: \*Monthly report below is optional until January 1, 2012, at which time the information becomes mandatory.** = .843

\*Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs \_\_\_\_\_, gpm \_\_\_\_\_, or gpd \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec

Additional copies of this form and water right information can be obtained at [www.waterboards.ca.gov/waterrights](http://www.waterboards.ca.gov/waterrights).

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\*G. Provide the quantity of water diverted each month in the table below as measured in: Gallons \_\_\_ Million gallons \_\_\_ Acre-feet \_\_\_ Unmeasured - See estimate attached

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual

H. Annual water use in recent years: Maximum Unmeasured - estimated 5 acre ft / Acre (gallons or acre-feet) Minimum \_\_\_\_\_ (gallons or acre-feet)

State the year of first use at diversion site or storage facility possibly 1800's

\*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) 50.2 Acres wheat

\*J. General description and location of the place of use shall be identified using a USGS topographic map, or if assigned, may be provided using the public land description to the nearest 40 acre parcel accompanied by the County Assessor's parcel map.

See map C - 129-190-30 attached

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
  - a. Describe any water conservation efforts you have in place All excess water is returned to Delta channels
2. Water quality and wastewater reclamation
  - a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? YES \_\_\_ NO ✓
3. Conjunctive use of surface water and groundwater
  - a. Are you using groundwater in lieu of surface water? YES \_\_\_ NO ✓

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

\*DATE: 6/21/10 at Victoria Island Holt, California

\*SIGNATURE: [Signature]

\*PRINTED NAME: James Patrick Jer Kovich  
(first name) (middle initial) (last name)

COMPANY NAME: Victoria Island Farms

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. The filing of a statement 1) provides a record of water use, 2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and 3) assists the State in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/), or write to this office.

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TABLE A-5

**Sacramento-San Joaquín Delta**

**Applies also to nonirrigated orchards and vineyards**

**Metric conversion: inches times 25.4 equals millimetres.**

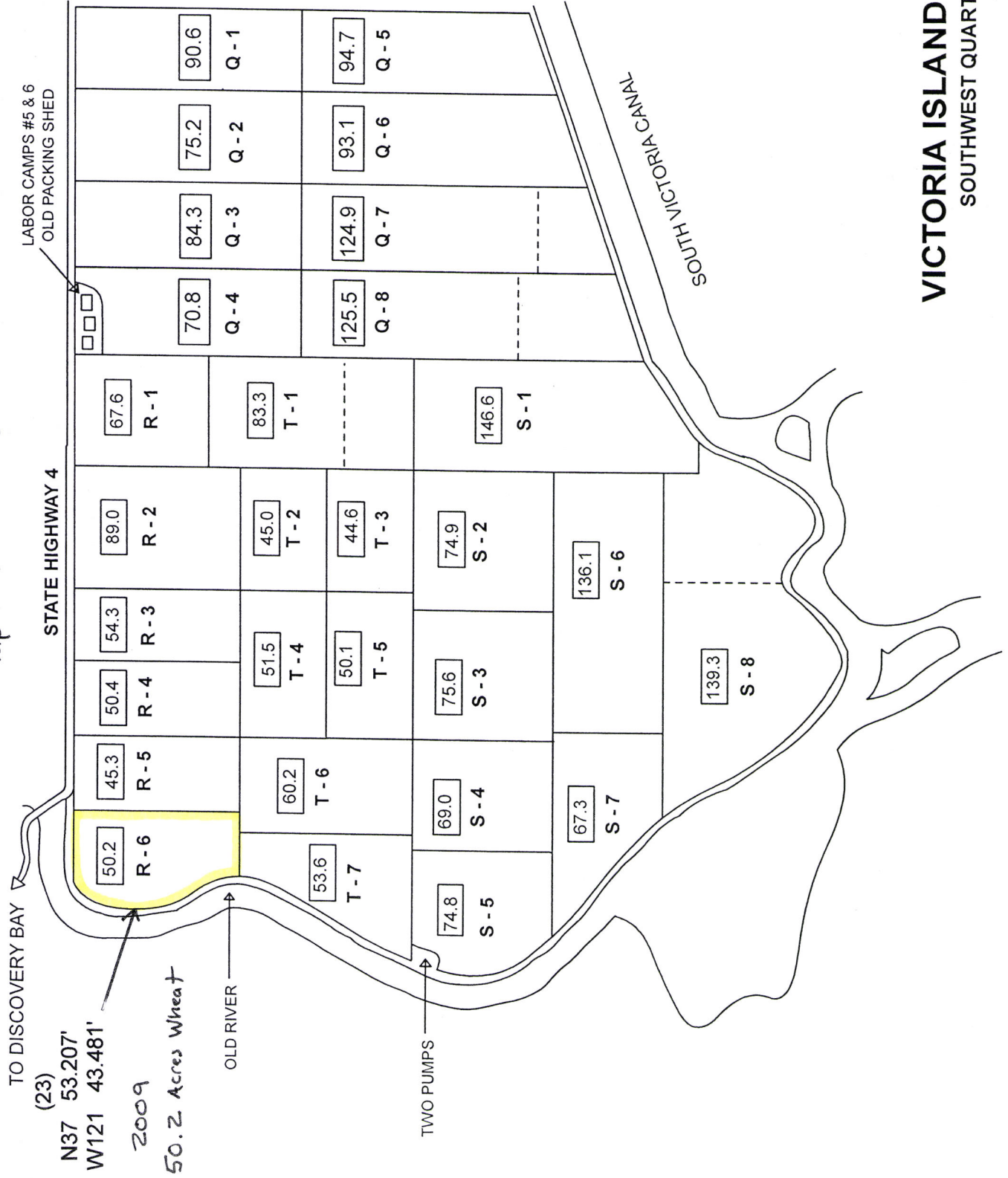
# Victoria Island Water Diversion and Use Estimate Worksheet

Diversion/Siphon # ( 23 )

2009 Crops	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
50.2 Acres Wheat				$50.2 \times 5.7 \div 12 \times 1.25$ $30$	$50.2 \times 3.1 \div 12 \times 1.25$ $16.21$							
Estimated Total Ac. Ft. Per Month.	0	0	0	30	16.21	0	0	0	0	0	0	0

2009 Total = 46.2 Ac Ft

Map C-129-190-30



# VICTORIA ISLAND FARMS SOUTHWEST QUARTER

TO DISCOVERY BAY  
(23)  
N37 53.207'  
W121 43.481'  
2009  
50.2 Acres Wheat



THIS MAP IS FOR  
ASSESSMENT USE ONLY

